



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,851	09/18/2003	Ching Hoe Lee	42P17326	8395
8791	7590	11/09/2007		
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
			EXAMINER RECEK, JASON D	
			ART UNIT 4135	PAPER NUMBER
			MAIL DATE 11/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/665,851

Applicant(s)

LEE, CHING HOE

Examiner

Jason Recek

Art Unit

4135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

This is in response to Applicant's amendment filed August 30th 2007 which concerns application 10/665851.

Status of Claims

Claims 1-30 are pending, 7-8, 10-11, 19 and 26-29 are original.

Claims 1-2, 5-8, 11-14, 17-21 and 24-28 are rejected under 35 U.S.C. 102(b).

Claims 3-4, 9-10, 15-16, 22-23 and 29-30 are rejected under 35 U.S.C. 103(a).

Response to Arguments

The objections to the abstract, specification and claims have been withdrawn in light of applicant's amendments.

Applicant's arguments filed August 30th 2007 have been fully considered but are not persuasive.

Applicant argues that Lazaridis does not disclose a system sending the message to the second node and sending the message to a target mobile device associated with

Art Unit: 4135

the second user if no indication is received by the system to indicate that the second user has read the message. This argument is not persuasive since Lazaridis does in fact disclose a redirector program residing on a system other than the second user's node (paragraph 16), which sends the message to a target mobile device if no indication is received by the system to indicate that the user has read the message. A situation where this occurs is when the user sets a timer or timeout (paragraph 13) which would mean no indication is received by the system and ultimately the message is sent from the message system (not the second node) to the target mobile device. Thus Lazaridis does anticipate each and every element as required by 35 U.S.C. 102(b).

Applicant argues that Lazaridis and Shavit do not disclose a system sending the message to the second node and sending the message to a target mobile device associated with the second user if no indication is received by the system to indicate that the second user has read the message. This argument is not persuasive in light of the above discussion where it is clearly shown that Lazaridis does in fact teach those limitations.

Applicant argues that Lazaridis and Microsoft do not disclose a system sending the message to the second node and sending the message to a target mobile device associated with the second user if no indication is received by the system to indicate that the second user has read the message. This argument is not persuasive in light of

Art Unit: 4135

the above discussion where it is clearly shown that Lazaridis does in fact teach those limitations.

Applicant again argues that Lazaridis and Shavit do not disclose (with respect to claims 15-16 and 22-23) a system sending the message to the second node and sending the message to a target mobile device associated with the second user if no indication is received by the system to indicate that the second user has read the message. This argument is not persuasive in light of the above discussion where it is clearly shown that Lazaridis does in fact teach those limitations.

Applicant again argues that Lazaridis and Microsoft do not disclose (with respect to claim 29) a system sending the message to the second node and sending the message to a target mobile device associated with the second user if no indication is received by the system to indicate that the second user has read the message. This argument is not persuasive in light of the above discussion where it is clearly shown that Lazaridis does in fact teach those limitations.

Applicant argues that Lazaridis and Ouchi do not disclose a system sending the message to the second node and sending the message to a target mobile device associated with the second user if no indication is received by the system to indicate that the second user has read the message. This argument is not persuasive in light of

Art Unit: 4135

the above discussion where it is clearly shown that Lazaridis does in fact teach those limitations.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 5-8, 11-14, 17-21 and 24-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Lazaridis et al. US2001/0005860 A1.

Regarding claim 1, Lazaridis discloses “receiving at a messaging system in a network a message from a first user to a second user, wherein the message originates at a first node in a network, is addressed to a second node in the network, and includes a request for input from the second user” as an E-mail message (see Fig. 1 items A, 26 and 28, and paragraphs 31 and 33).

Lazaridis also discloses “sending from the messaging system the message to the second node” as an E-mail message. E-mail messages are known as messages that are sent and received electronically, or over a network that consists of one or more nodes (see Fig. 1 item A).

Furthermore, Lazaridis discloses “if no indication is received at the messaging system to indicate that the second user has read the message, then sending the

Art Unit: 4135

message from the messaging system to a target device associated with the second user" as a redirector program which forwards data items (e-mail messages) based upon an event trigger (timer) to a user's mobile device (see paragraphs 12, 16).

Regarding claim 2, Lazaridis discloses "associating at least one target mobile device with the second user" when it discusses forwarding the message to the user's device. By using the possessive term 'user's', it is inherent that the device is associated with the user (see paragraph 12, lines 1-5).

Regarding claim 5, Lazaridis discloses "first determining if the second user has any associated target mobile devices" as a redirector program (see paragraph 12, line 1 and claim 6, lines 4-5). A redirector program would inherently first determine if a user had a device that a message could be redirected to, otherwise no redirection could occur.

Regarding claim 6, Lazaridis clearly discloses "waiting a time period before sending the message to the target mobile device" as a redirector program that detects a triggering event. An event trigger could be a screen saver activation, keyboard timeout or programmable timer – all involve waiting a time period (see paragraph 13, lines 7-17).

Regarding claim 7, Lazaridis discloses "determining the time period based on an urgency of the message" by integrating the redirector program with an E-mail program

Art Unit: 4135

which can be configured to provide trigger points (time period) to control redirecting (see paragraph 18, lines 14-17).

Regarding claim 8, Lazaridis discloses “receiving a response from the second user, and sending the response to the first user” by describing a method of replying to messages in which the reply is sent to the original message sender (see claim 2).

Regarding claim 11, Lazaridis discloses “waiting for a response from the second user ...” by describing a communication system in general. In any communication system once a message or the like is communicated (sent) the originator of the message will wait for a response, whether or not any indication is received that the target got the communication (see Fig. 5 block 82).

Regarding claim 12, Lazaridis discloses “formatting the message for the target mobile device based on the capabilities of the target mobile device, before sending a message” by describing a system that first determines the type of device and whether the device can receive attachments before sending the message (see paragraph 14).

Regarding claim 13, Lazaridis discloses “a computer readable medium having [the method of claim 1]” as a redirector program that runs on a computer system. A computer readable medium is primarily incorporated by Lazaridis (see Fig. 1, item 12).

Art Unit: 4135

Software is necessarily, at one point in time, contained on a computer readable medium, thus Lazaridis anticipates claim 13.

Regarding claim 14, Lazaridis discloses “associating at least one target mobile device with the second user” when it discusses forwarding the message to the user’s device. By using the possessive term ‘user’s’, it is inherent that the device is associated with the user (see paragraph 12, lines 1-5).

Regarding claim 17, Lazaridis discloses “first determining if the second user has any associated target mobile devices” as a redirector program (see paragraph 12, line 1). A redirector program would inherently first determine if a user had a device that a message could be redirected to, otherwise no redirection could occur.

Regarding claim 18, Lazaridis clearly discloses “waiting a time period before sending the message to the target mobile device” as a redirector program that detects a triggering event. An event trigger could be a screen saver activation, keyboard timeout or programmable timer – all involve waiting a time period (see paragraph 13, lines 7-17).

Regarding claim 19, Lazaridis discloses “determining the time period based on an urgency of the message” by integrating the redirector program with an E-mail

Art Unit: 4135

program which can be configured to provide trigger points (time period) to control redirecting (see paragraph 18, lines 14-17).

Regarding claim 20, Lazaridis discloses "a system comprising: a processor; a network card coupled to the processor to enable communications with one of more networks; and a memory couple to the processor, the memory storing instructions [to perform the method of claim 1]" as a redirection system operating in a networked environment. Lazaridis primarily incorporates a processor, a network card, and a memory (see fig. 1, items 14 and 10) by disclosing a desktop computer which is part of a local area network, this computer would necessary contain a processor, a memory and a network card.

Regarding claim 21, Lazaridis discloses "associating at least one target mobile device with the second user" when it discusses forwarding the message to the user's device. By using the possessive term 'user's', it is inherent that the device is associated with the user (see paragraph 12, lines 1-5).

Regarding claims 24-28, they contain substantially the same limitations as claims 5-9 and are therefore rejected because Lazaridis discloses all the limitations of claims 5-9 as well as the limitations of independent claim 20 and thus also discloses all the limitations of claims 24-28.

Art Unit: 4135

3. Claim 9 is rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Lazaridis. Lazaridis discloses a network that is capable of sending messages from a first user to a second user and sending responses back to the first user. Lazaridis does not disclose specifically a message that is an approval request. However it is well known that an email message may contain an approval request and thus Lazaridis anticipates claim 9 or in the alternative it would have been obvious to one of ordinary skill in the art at the time the invention was made to use email as a way to communicate an approval request.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis in view of Shavit et al. US2002/0160757.

Regarding claims 3-4, Lazaridis discloses all the limitations contained in the claims that claim 3 depends from, see item 10. Lazaridis does not suggest "sending the message sequentially to each target mobile device in a list of devices", however this feature is contained in Shavit. Shavit teaches a strategy for delivering urgent messages, which includes sending messages to a recipient based upon a list of delivery

Art Unit: 4135

devices (see abstract). Shavit also discloses the claim 4 limitation "setting the first target mobile device in the list as a current device and repeating: sending the message to the current device; and setting the next target mobile device on the list as the current device if no indication is received from the current device to indicate that the second user has read the message" as a system that selects a device from a list, sends the message, and if the recipient did not receive the message, sequentially selecting another device and sending the message (see paragraph 8, Fig 2 and 3C, and claim 13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and system of Lazaridis' invention to provide redirection to more than one device if the first device was unavailable or the user did not receive the message. The motivation is ensuring urgent messages are delivered quickly. It is understood that the more locations (devices) you attempt to reach a person (user) at the quicker it is you will find that person.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis US2001/0005860 A1 in view of Microsoft Outlook 2000.

As per claim 10, Lazaridis discloses all the limitations of the independent claim 1 from which claim 10 is dependent. Lazaridis does not specifically teach "sending a notification to the first user if an indication is received to indicate that the second user has read the message" as recited in the instant claim. However Microsoft Outlook 2000 achieves this aspect by providing a feature known as a read receipt. It would have

Art Unit: 4135

been obvious to one of ordinary skill in the art at the time of the invention to modify the method and system of Lazaridis' invention to provide the notification feature found in Microsoft Outlook 2000. The motivation to combine can be found in Lazaridis (see paragraph 3, lines 10-13) wherein devices that are capable of returning confirmation signals when a message is received are disclosed as being especially well suited for this area of technology. Thus it would have been obvious to use confirmation signals to transmit a notification after a user read the message.

7. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis in view of Shavit. Claims 15 and 16 incorporate substantially the same limitations as claims 3-4 and thus are rejected using the same rationale. It is also noted that "computer-readable medium" is primarily incorporated by Lazaridis, see rationale rejecting claim 13.

8. Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis in view of Shavit. Claims 22-23 incorporate substantially the same limitations as claims 3-4 and thus are rejected using the same rationale. It is also noted that "a system comprising: a processor [...] a network card [...] and a memory" is primarily incorporated by Lazaridis, see rationale rejecting claim 20.

9. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis in view of Microsoft Outlook 2000. Claim 29 incorporates substantially the

Art Unit: 4135

same limitation as claim 10 and is thus rejected using the same rationale. It is also noted that "system comprising: a processor [...] a network card [...] and a memory" is primarily incorporated by Lazaridis, see rationale rejection claim 20.

10. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis in view of Ouchi U.S. Pat. No. 6170002 B1. Lazaridis discloses all the limitations of claim 20 from which claim 30 is dependent, however Lazaridis does not disclose "inserting a document identifier into a message before sending it to the target mobile device". Ouchi discloses using document identifiers in email messages to track the message as it is processed (see column 14, lines 66-67 and claim 3). Ouchi is particularly relevant because it concerns a workflow system for tracking approval requests, similar to the present invention.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and system of Lazaridis to add a document identifier to a message prior to sending it. The motivation to combine these features can be found in Lazaridis paragraph 4 where Lazaridis describes the need for a more reliable system for replicating data at a user's mobile device. Adding a document identifier to a message service provides a more reliable system by allowing the message to be tracked.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 4135

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gupta U.S. Pat. 7,093,025 B1 teaches a method of delivering email to an alternate address in case of failure.

Malkin et al. U.S. Pat. 6,643, 684 B1 teaches forwarding of email, including redirecting.

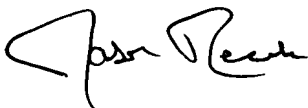
Robert Tosey US 2004/0083271 A1 teaches redirecting messages to a wireless device.

Art Unit: 4135

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Recek whose telephone number is (571) 270-1975. The examiner can normally be reached on Mon - Thurs 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Coby can be reached on (571) 272-4017. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jason Recek

10/31/07



FRANTZ COBY
SUPERVISORY PATENT EXAMINER